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MEMORANDUM

TO: The Honorable Eugene Fraise, Chair, Senate Judiciary Committee
The Honorable Nancy Boettger, Ranking Member, Senate Judiciary Committee
The Honorable Richard Anderson, Chair, House Judiciary Committee
The Honorable Kurt Swaim, Ranking Member, House Judiciary Committee
Ms. Beth Lenstra, Legislative Services Agency

FROM: Eric Tabor, Chief of Staff 

RE: False Claims Act Annual Report

DATE: July 2012

This annual report concerning activity under Iowa's False Claims Act ("Act"), Iowa Code chapter 685, is submitted by the Office of Attorney General ("Office") pursuant to 2010 Iowa Acts, chapter 1031, section 345. (Attached.)

1. There were no cases filed under the Act by the Office during the previous calendar year (2011).
2. There were six cases filed under the Act by qui tam plaintiffs during the previous calendar year (2011).
 - 2a. The qui tam cases were filed in United States District Courts in (1) the Southern District of Iowa; (2) Eastern District of Texas; (3) Eastern District of Texas; (4) Southern District of Texas; (5) Maryland; and (6) Colorado.
 - 2b. All of the cases involved the Medicaid program.
 - 2c. The Office does not know whether the qui tam plaintiffs previously filed an action in another jurisdiction.
3. The state did not recover any amount under the Act during the previous calendar year (2011). All of the above cases are still pending.

2010 Iowa Acts
Chapter 1031, Section 345

Sec. 345. ANNUAL REPORTING REQUIREMENT. On the thirtieth day after the effective date of this division of this Act, and on the anniversary of the effective date of this division of this Act each year thereafter, the attorney general shall submit to the chairpersons and ranking members of the house and senate committees on judiciary, the legislative caucus staffs, and the legislative services agency, in electronic format, a report containing all of the following information:

1. The number of cases the attorney general filed during the previous calendar year under this chapter.
2. The number of cases qui tam plaintiffs filed under this chapter during the previous calendar year, including those cases that remain under seal, and specifying all of the following for the cases:
 - a. The state or federal court in which each case was filed and the total number filed in each court.
 - b. The state program or agency involved in each case.
 - c. The number of cases filed by qui tam plaintiffs who previously filed an action based on the same or similar transaction or allegation under the federal False Claims Act or the false claims act of another state.
3. The amount recovered by the state in the form of settlement, damages, penalties, and litigation costs, if known, and specifying the following for each case:
 - a. The case number and parties for each case in which there was a recovery.
 - b. The amount of funds recovered respectively for damages, penalties, and litigation costs.
 - c. The percentage of the recovery and the amount that the state paid to any qui tam plaintiff.